

BRUCE TITTE
DONALD E. FREY
DAVID J. JOSEPHIC
DAVID S. STALLARD
J. ROBERT CHAMBERS
GREGORY J. LUNN
KURT L. GROSSMAN
CLEMENT M. LUKEN, JR.
THOMAS J. BURGER
GREGORY P. AHRENS
WAYNE L. JACOBS
KURT A. SUMME
KEVIN G. ROONEY
KEITH R. HAUPT
THEODORE R. REMAKLUS
THOMAS W. HUMPHREY
SCOTT A. STINEBRUNER
DAVID H. BRINKMAN
BEVERLY A. LYMAN, PH.D.

OF COUNSEL
JOHN D. POFFENBERGER
THOMAS W. FLYNN

513 241 6234

NO. 0095 P. 1

WOOD, HERRON & EVANS, L.L.P.

2700 CAREW TOWER

441 VINE STREET

CINCINNATI, OHIO 45202-2917

TELEPHONE: 513-241-2324

FACSIMILE: 513-241-6234

EMAIL: info@whapalient.com

PATENT, TRADEMARK, COPYRIGHT
AND UNFAIR COMPETITION LAW
AND RELATED LITIGATION

EDMUND P. WOOD 1923-1968
TRUMAN A. HERRON 1935-1976
EDWARD B. EVANS 1936-1971

JOSEPH R. JORDAN
C. RICHARD EBY
DAVID E. FRITCHARD

J. DWIGHT POFFENBERGER, JR.
KATHRYN E. SMITH
KRISTI L. DAVIDSON
P. ANDREW BLATT, PH.D.
DAVID E. JEFFERIES
WILLIAM R. ALLEN, PH.D.
JOHN PAUL DAVIS
DOUGLAS A. SCHOLER
BRETT A. SCHATZ
DAVID W. DORTON
SARAH OTTE GRABER
STEVEN W. BENINTENDI, PH.D.
RANDALL S. JACKSON, JR.

TECHNICAL ADVISORS
HENRY M. LABODA, PH.D.

December 9, 2004

FACSIMILE COVER SHEET

To: Mail Stop ISSUE FEE

From: Kristi L. Davidson

Fax: (703) 746-4000

Re: Our File: DEVOE-15
Serial No. 10/725,625

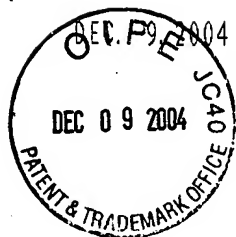
Pages: 10

MESSAGE/COMMENTS

Attached herewith is a corrected Terminal Disclaimer
submitted for the above-identified application.

Enclosures: Facsimile Cover Sheet (1 pg.)
Submission of Corrected Terminal Disclaimer transmittal (2 pgs.)
Copy of original Terminal Disclaimer with Highlighted Changes (3 pgs.)
Corrected Terminal Disclaimer (3 pgs.)
End Page (1 pg.)

The information in this facsimile message is ATTORNEY-CLIENT PRIVILEGED, WORK PRODUCT and/or CONFIDENTIAL INFORMATION intended only for the use of the individual or entity to whom this message is addressed. If the reader of this message is not the intended recipient or the employee or agent responsible for delivering it to the intended recipient, you are hereby notified that any dissemination, distribution or reproduction of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone and return the original message to us at the above address via mail. Thank you. If transmission is interrupted or of poor quality, please notify us immediately by calling (513) 241-2324 and ask for the sender's assistant. OUR FAX NUMBER IS (513) 241-6234.




DEC 09 2004 5:55PM

513 241 6234

NO. 0095 P. 2

CERTIFICATE OF FACSIMILE

I hereby certify that this correspondence for Application No. 10/725,625 is being facsimile transmitted to Mail Stop ISSUE FEE, via Fax Number (703) 746-6000, on December 9, 2004.


Kristi L. Davidson, Reg. No. 44,643

Date

12/9/04

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No.: 10/725,625
Filed: December 2, 2003
Group Art Unit: 2831
Examiner: Eric W. Thomas
Applicant: Devoe et al.
Title: SINGLE LAYER CAPACITOR
Attorney Docket: DEVOE-15
Confirmation No.: 4950

Cincinnati, Ohio 45202

December 9, 2004

Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:


SUBMISSION OF CORRECTED TERMINAL DISCLAIMER

Applicants submit herewith a corrected Terminal Disclaimer for the above-identified application. A Terminal Disclaimer was originally filed on November 9, 2004. After receipt of the Notice of Allowance, typographical errors were noted in the Terminal Disclaimer. Specifically, the patent number for Application No. 10/188,696 was incorrectly typed as 6,661,539, and should be 6,661,639. A copy of the page showing the highlighted changes is enclosed. Also enclosed is a new Terminal Disclaimer reflecting the corrections.

Applicants believe that no fee is due with this submission, as the \$55 fee for the Terminal Disclaimer was paid with the original filing on November 9, 2004. However, if any charges or credits are necessary to complete this communication, please apply them to Deposit Account No. 23-3000.

Respectfully submitted,

WOOD, HERRON & EVANS, L.L.P.

By: 
Kristi L. Davidson, Reg. No. 44,643

2700 Carew Tower
441 Vine Street
Cincinnati, OH 45202
(513) 241-2324 (voice)
(513) 241-6234 (facsimile)
K:\Devoe\115\Corrected TD trx.wpd

**CERTIFICATE OF FACSIMILE**

I hereby certify that this correspondence for Application No. 10/725,625 is being facsimile transmitted to Examiner Eric Thomas, via fax number (521) 273-1985, on November 9, 2004.

Kristi L. Davidson
Kristi L. Davidson, Reg. No. 44,643

11/9/04
Date

PATENT**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Serial No.: 10/725,625
Filed: December 2, 2003
Group Art Unit: 2831
Examiner: Eric W. Thomas
Applicant: Devoe et al.
Title: **SINGLE LAYER CAPACITOR**
Confirmation No.: 4950
Atty Docket No. DEVOE-15

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

November 9, 2004

**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING
REJECTION (37 CFR 1.321(b))**

1. I, Kristi L. Davidson, submit this disclaimer and certificate on behalf of the assignee, Presidio Components, Inc., a Corporation of California having its principal place of business at 7169 Construction Court, San Diego, CA 92121, the Disclaimant herein.

Serial No. 10/725,625
Page Showing Highlighted Changes

2. I hereby certify that Presidio Components, Inc. is the assignee of the entire right, title and interest in the patent application identified above by virtue of Assignment of record, recorded in the Patent and Trademark Office at Rcel/Frame 13099/504. I further certify that I have reviewed all the documents in the chain of title of the patent application identified above and, to the best of my knowledge and belief, title is in the assignee identified above.

3. I am an attorney of record.

DISCLAIMER

4. Disclaimant, Presidio Components, Inc. hereby disclaims the terminal portion of the term of any patent granted on the above-identified application, which would extend beyond the expiration date of the full statutory term of United States Patent No. 6,661,⁶~~7~~39 and U.S. Serial No. 10/694,125. Disclaimant, Presidio Components, Inc., hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to United States Patent No. 6,661,⁶~~7~~39 and U.S. Serial No. 10/694,125, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors or assigns.

5. Disclaimant, Presidio Components, Inc., does not, by this disclaimer, disclaim any part of the term of any patent granted on the above-identified application prior to the expiration date of the full statutory term of United States Patent No. 6,661,⁶~~7~~39 and U.S. Serial No. 10/694,125, in the event that later such patent expires for failure to pay a maintenance

fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated in whole or in part, prior to expiration of its full statutory term, except for through separation of legal title as stated above.

6. I hereby declare that the statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

FEE STATUS AND PAYMENT

7. Disclaimant is a small entity. Upon acceptance of this disclaimer, please charge the \$55 disclaimer fee or any fee deficiency to Deposit Account Number 23-3000.

Respectfully submitted,

WOOD, HERRON & EVANS, L.L.P.



By: Kristi L. Davidson, Attorney
Reg. No. 44,643

2700 Carew Tower
441 Vine Street
Cincinnati, OH 45202
(513) 241-2324 - Voice
(513) 241-6234 - Facsimile
K:\Devon\15\Term Disclaimer.wpd



2004 5:56PM

513 241 6234

NO. 0095 P. 7

CERTIFICATE OF FACSIMILE

I hereby certify that this correspondence for Application No. 10/725,625 is being facsimile transmitted to Mail Stop ISSUE FEE, via Fax Number (703) 746-4000, on December 9, 2004..

Kristi L. Davidson
Kristi L. Davidson, Reg. No. 44,643

12/9/04
Date

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No.: 10/725,625
Filed: December 2, 2003
Group Art Unit: 2831
Examiner: Eric W. Thomas
Applicant: Devoe et al.
Title: **SINGLE LAYER CAPACITOR**
Confirmation No.: 4950
Atty Docket No. DEVOE-15

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

December 9, 2004

CORRECTED TERMINAL DISCLAIMER
TO OBVIATE A DOUBLE PATENTING REJECTION (37 CFR 1.321(b))

1. I, Kristi L. Davidson, submit this disclaimer and certificate on behalf of the assignee, Presidio Components, Inc., a Corporation of California having its principal place of business at 7169 Construction Court, San Diego, CA 92121, the Disclaimant herein.

2. I hereby certify that Presidio Components, Inc. is the assignee of the entire right, title and interest in the patent application identified above by virtue of Assignment of record, recorded in the Patent and Trademark Office at Reel/Frame 13099/504. I further certify that I have reviewed all the documents in the chain of title of the patent application identified above and, to the best of my knowledge and belief, title is in the assignee identified above.

3. I am an attorney of record.

DISCLAIMER

4. Disclaimant, Presidio Components, Inc. hereby disclaims the terminal portion of the term of any patent granted on the above-identified application, which would extend beyond the expiration date of the full statutory term of United States Patent No. 6,661,639 and U.S. Serial No. 10/694,125. Disclaimant, Presidio Components, Inc., hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to United States Patent No. 6,661,639 and U.S. Serial No. 10/694,125, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors or assigns.

5. Disclaimant, Presidio Components, Inc., does not, by this disclaimer, disclaim any part of the term of any patent granted on the above-identified application prior to the expiration date of the full statutory term of United States Patent No. 6,661,639 and U.S. Serial No. 10/694,125, in the event that later such patent expires for failure to pay a maintenance

fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated in whole or in part, prior to expiration of its full statutory term, except for through separation of legal title as stated above.

6. I hereby declare that the statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

FEE STATUS AND PAYMENT

7. As the \$55 fee was paid with the original Terminal Disclaimer, Applicants believe that no additional fee is due with this filing. If any charges or credits are necessary to complete this communication, please apply them to Deposit Account No. 23-3000.

Respectfully submitted,

WOOD, HERRON & EVANS, L.L.P.



By: Kristi L. Davidson, Attorney

Reg. No. 44,643

2700 Carew Tower
441 Vine Street
Cincinnati, OH 45202
(513) 241-2324 - Voice
(513) 241-6234 - Facsimile
K:\Devoc\15\Corrected TD.wpd



End of Facsimile Transmission

for Serial No. 10/725,625

THANK YOU

Wood, Herron & Evans, LLP
2700 Carew Tower
441 Vine Street
Cincinnati, OH 45202
513-241-2324 (voice)
513-241-6234 (fax)

December 9, 2004